

**STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE**

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**JEANINE A. SORTISIO and STEVEN R.  
SORTISIO,**

**Plaintiffs,**

**v.**

**PETER ACCETTA, M.D., SUSAN M.  
PETERSON, RPA-C, ASTELLAS PHARMA  
US, INC., and NOVARTIS  
PHARMACEUTICALS CORPORATION,**

**Defendants.**

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**Index No. 2009-001945**

**NOTICE OF FILING A  
NOTICE OF REMOVAL**

TO: David W. Olson  
BROWN CHIARI  
5775 Broadway  
Lancaster, New York 14086-2360

*Counsel for Plaintiffs*

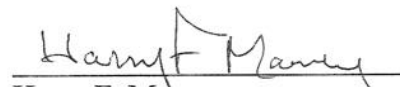
Peter J. Skalaban Jr.  
SPRIGGS & HOLLINGSWORTH  
1350 I Street NW  
Washington, DC 20005

*Counsel for Defendant  
Novartis Pharmaceuticals Corporation*

PLEASE TAKE NOTICE, that the defendant, ASTELLAS PHARMA US, INC., has filed a Notice of Removal of the above-captioned action from Supreme Court, State of New York, County of Erie, to the United States District Court for the Western District of New York on February 27, 2009.

DATED: Buffalo, New York  
February 27, 2009

HURWITZ & FINE, P.C.

  
Harry F. Mooney  
*Local Counsel for Defendant,*  
*Astellas Pharma US, Inc.*  
1300 Liberty Building  
Buffalo, New York 14202

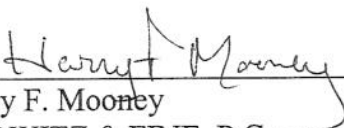
Harvey L. Kaplin  
Mark C. Hagarty  
*Counsel for Defendant, Astellas*  
*Pharma US, Inc.*  
2555 Grand Boulevard  
Kansas City, MO 64108

CERTIFICATE OF SERVICE

I hereby certify that I have this 27<sup>th</sup> day of February, 2009, served a copy of the foregoing Notice of Filing Notice of Removal upon the firms indicated below by mailing a copy of same via U.S. Postal Service to the following:

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\_\_\_\_\_  
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